

Notice of Allowability

Application No.

10/815,917

Examiner

Stephen J. Stein

Applicant(s)

BRYDEN, RAYMOND H.

Art Unit

1775

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's After Final Amendment filed May 9, 2005.
2. ☒ The allowed claim(s) is/are 38-45, 47, 48, 50-63, 65 and 66.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


STEPHEN STEIN
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

IN THE SPECIFICATION

On page 1, after the title, insert the following:

-- Cross-Reference to Related Applications

This application is a Continuation application of Serial Number 10/154,134, now U.S. 6,753,089, filed May 23, 2002. --

Allowable Subject Matter

2. Claims 38-45, 47, 48, 50-63, 65 and 66 are allowed over the prior art of record.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance is applicants' amendment to claims which added the limitation to claims 38 and 52, that the substrate comprises silicon carbide or silicon nitride and the amendment to claims 48 and 63 that the decal consists essentially of a refractory ceramic composition including unstabilized zirconia and silica.

The following is a summary of the closest prior art of record. Yamano (US 4,755,786) teaches a TiO₂ and pigment containing ceramic bar code label which is

Art Unit: 1775

applied on to a portion of a ceramic substrate and fired at a temperature of 1200 °C and which has good edge definition at 1400°C. Yamano fails to specifically teach or suggest that the label comprises untabilized zirconia and silica and further fails to teach or suggest that the substrate comprises silicon carbide or silicon nitride. Other prior art of record, such as JP 07215782A (Kako et al.), teaches a method of coating a silicon carbide heating element with a layer comprising zircon (ZrSiO_4) having a thickness of 100-2,000 μm followed by baking at 1,100-1,350 degrees C. Unlike the instant claims, Kako teaches a complete coating on a heating element and fails to teach or suggest that the coating is a label on a portion of the substrate. Still other prior art or record, such as US 6,517,960 (Wang) also teaches an article comprising a ceramic substrate of silicon nitride or silicon with a zircon (ZrSiO_4) layer on the substrate and a post annealing process at temperatures of 1100 to 1350°C. Wang also fails to teach or suggest that the coating is a label on a portion of the substrate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

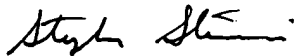
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Stein whose telephone number is 571-272-1544. The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 5:00 p.m. If the attempts to reach the examiner are unsuccessful, the examiner's supervisor,

Art Unit: 1775

Deborah Jones can be reached by dialing 571-272-1535. The official fax number is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 1, 2005



Stephen J. Stein
Primary Examiner
Art Unit 1775